

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN RE: DAVID B. FAVA
DEBTOR

CASE NO.: 16-51017 KMS
CHAPTER 7

ORDER AUTHORIZING SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS
(DKT#)

THIS MATTER is before the Court on the Motion to Sell Real Property Free and Clear of Liens and Claims of Creditors pursuant to 11 U.S.C. §363(f) and Fed R. Bankr. P. 6004 filed by the Chapter 7 Trustee. The Court finds that the Motion is well taken and should be granted.

IT IS ORDERED AND ADJUDGED that the Trustee's Motion is granted and the Trustee is authorized to sell an undivided 1/6 interest in the real property fully described below to Charles Dyer for the purchase price of \$35,000.00:

That certain lot or parcel of land having a frontage in the width of one hundred and twenty-five facing West upon the Eastern boundary line of a public street in the said City of Pass Christian designated and known as Davis Avenue, and extending back in an Easterly direction, between parallel lines, a distance of the Hundred and Ninety-seven feet, and being bounded on the North by another public street in said City of Pass Christian designated and known as Second Street, on the East by property now, or formerly belonging to Grayson, on the South by property now, or formerly belonging to Grayson, and on the West by the aforementioned Davis Avenue. The above conveyed land being further described as Lots

Nos. 8 and 9, as shown by a sketch, or plat, of the Subdivision of that property formerly occupied by the Mexican Gulf Hotel, the original sketch, or plat, being attached to and forming a part of a Deed from Tom J. Grayson to Minnie G. McGlathery, and recorded in the Record of Deeds to Land in Harrison County, Mississippi.

A strip of land ten feet wide on the East line of the above described land, running North and South, is hereby reserved as an easement, and is to be left open and unfenced at all times, to be used as an alley, road or street.

A two-tenths interest in the Artesian Water Well on the property formerly occupied by the Mexican Gulf Hotel is also hereby conveyed to the Vendee herein; as is also all the tenements, hereditaments or appurtenances thereon or in anywise thereunto appertaining or belonging.

The above described and conveyed lot or parcel of land being the same and identical lot conveyed by Tom J. Grayson to George Fava by Warranty Deed of August 21, 1923, and recorded in Vol. 140, at pages 116-117 in the Records of Deeds to Lands in Harrison County, Mississippi.

IT IS FURTHER ORDERED AND ADJUDGED that the sale shall be free and clear of all liens and claims of creditors of the Debtor pursuant to 11 U.S.C. §363(f), including the judgment lien in favor of Robert H. Koon in the approximate amount of \$17,466.25;

IT IS FURTHER ORDERED AND ADJUDGED that the Trustee is authorized to disburse \$5,000.00 to Robert H. Koon in full satisfaction of the judgment lien;

IT IS FURTHER ORDERED AND ADJUDGED that the Purchaser assumes responsibility for all ad valorem taxes and other charges against the property;

IT IS FURTHER ORDERED AND ADJUDGED that the Trustee is authorized to close on the sale of the Subject Property and the 14 day stay imposed by Fed R. Bankr. P. 6004(h) is hereby waived;

IT IS FURTHER ORDERED AND ADJUDGED that the Trustee shall file a Report of Sale within 10 days after closing of the sale of the Subject Property pursuant to Fed R. Bankr. P. 6004(f)(1);

IT IS FURTHER ORDERED AND ADJUDGED that this Order shall constitute a final judgment as defined in Fed R. Bankr. P. 9021.

##END OF ORDER##

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